

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

UNITED STATES OF AMERICA

v.

**BERNARD FREEMAN SCOTT, JR.,
ANDRE BERNARD MOORE, JR.,
NYKOBIE BYRANT FLEMING,
JADEREIUS TYEWON HAYNES
DESSAUSURE,
JASMINE LASHA SMALLS,**

CRIMINAL NO. 2:23-328

18 U.S.C. § 2

18 U.S.C. § 371

18 U.S.C. § 922(g)(1)

18 U.S.C. § 924(a)(2)

18 U.S.C. § 924(a)(8)

18 U.S.C. § 924(d)(1)

28 U.S.C. § 2461(c)

SEALED INDICTMENT

COUNT 1
(Conspiracy)

THE GRAND JURY CHARGES:

1. That beginning at a time unknown to the grand jury, but beginning in at least January 2018, and continuing thereafter, up to and including the date of this Indictment, in the District of South Carolina, the Defendants, **BERNARD FREEMAN SCOTT, JR., ANDRE BERNARD MOORE, JR., NYKOBIE BRYANT FLEMING, JADEREIUS TYEWON HAYNES DESSAUSURE, JASMINE LASHA SMALLS, and**

and others both known and unknown to the Grand Jury, knowingly, willfully, and unlawfully did combine, conspire, confederate, and agree together and with each other to make false statements with regard to the acquisitions of firearms from licensed dealers in violation of Title 18, United States Code, Section 922(a)(6);

2. In furtherance of the conspiracy and to affect the objects of the conspiracy, the following overt acts, among others, were committed in the District of South Carolina:

- (A) From in or about January 2018, through November 2022, **NYKOBIE BRYANT FLEMING** knowingly made false statements in connection with the acquisition of firearms;
 - (B) From in or about May 2020, through August 2021, **JADEREIUS TYEWON HAYNES DESSAUSURE** knowingly made false statements in connection with the acquisition of firearms;
 - (C) From in or about April 2020, through May 2020, **JASMINE LASHA SMALLS** knowingly made false statements in connection with the acquisition of a firearm;
 - (E) Counts 2-7 are incorporated herein, as if set forth verbatim, as overt acts;
- All in violation of Title 18, United States Code, Section 371.

COUNTS 2 – 7
(False Statement to FFL)

THE GRAND JURY FURTHER CHARGES:

That on or about the date reflected below, in the District of South Carolina, the Defendant named below, aided and abetted by the Defendant named below, did knowingly make a false statement in connection with the acquisition and attempted acquisition of the firearm listed below from the licensed dealer listed below, which was intended and likely to deceive the said dealer with respect to a fact material to the lawfulness of the sale and disposition of the firearm under the provisions of Chapter 44 of Title 18, United States Code, in that the Defendant named below did execute a Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives Form 4473, Firearms Transaction Record, to the effect that he/she was the true purchaser of the firearm listed below, whereas in truth and in fact, he/she was not the true purchaser;

COUNT	DATE	DEFENDANT	FIREARM	LICENSED DEALER
2	01/24/2018	NYKOBIE BRYANT FLEMING	Springfield Armory (HS Produkt) XD- 45 pistol	ATP Gun Shop; Ladson, South Carolina
3	04/20/2020	JASMINE LASHA SMALLS	Glock 42, .380 caliber pistol	Money Man Pawn Shop, North Charleston, South Carolina
4	05/19/2020	JADEREUS TYEWON HAYNES DESSAUSURE	Glock 23, model Gen4 .40 caliber pistol	Palmetto State Armory, Mount Pleasant, South Carolina
5	05/19/2020	JADEREUS TYEWON HAYNES DESSAUSURE, aided and abetted by BERNARD FREEMAN SCOTT, JR.	Springfield Armory (HS Produkt) XD- 45 pistol	Palmetto State Armory, Mount Pleasant, South Carolina
6	04/17/2021	NYKOBIE BRYANT FLEMING, aided and abetted by BERNARD FREEMAN SCOTT, JR.	Glock 21, model Gen 4 .45 Auto pistol	Palmetto State Armory, Mount Pleasant, South Carolina
7	11/18/2022	NYKOBIE BRYANT FLEMING	Glock, model 27 .40 caliber pistol	Sportsman's Warehouse, North Charleston, South Carolina

In violation of Title 18, United States Code, Sections 922(a)(6), 924(a)(2), and 2.

COUNT 8
(Felon in Possession of a Firearm and Ammunition)

THE GRAND JURY FURTHER CHARGES:

That on or about August 8, 2020, in the District of South Carolina, the Defendant, **BERNARD FREEMAN SCOTT, JR.**, knowingly possessed a firearm and ammunition, which had been shipped and transported in interstate commerce, to wit: a Springfield, model XD45, .45 caliber handgun and .45 caliber ammunition, having previously been convicted of a crime punishable by imprisonment for a term exceeding one year, and knowing that he had been convicted of such a crime;

In violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT 9
(Felon in Possession of a Firearm and Ammunition)

THE GRAND JURY FURTHER CHARGES:

That on or about August 8, 2020, in the District of South Carolina, the Defendant, **ANDRE BERNARD MOORE, JR.**, knowingly possessed a firearm and ammunition, which had been shipped and transported in interstate commerce, to wit: a Heckler and Koch, 9mm handgun and 9mm ammunition, having previously been convicted of a crime punishable by imprisonment for a term exceeding one year, and knowing that he had been convicted of such a crime;

In violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT 10
(Felon in Possession of a Firearm and Ammunition)

THE GRAND JURY FURTHER CHARGES:

That on or about May 5, 2021, in the District of South Carolina, the Defendant, **BERNARD FREEMAN SCOTT, JR.**, knowingly possessed a firearm and ammunition, which had been shipped and transported in interstate commerce, to wit: a Glock, model 21, .45 caliber handgun and .45 caliber ammunition, having previously been convicted of a crime punishable by imprisonment for a term exceeding one year, and knowing that he had been convicted of such a crime;

In violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT 11
(Felon in Possession of a Firearm and Ammunition)

THE GRAND JURY FURTHER CHARGES:

That on or about March 1, 2022, in the District of South Carolina, the Defendant, **BERNARD FREEMAN SCOTT, JR.**, knowingly possessed a firearm and ammunition, which had been shipped and transported in interstate commerce, to wit: a Taurus, model Millennium PT111 G2 9mm handgun and 9mm ammunition, having previously been convicted of a crime punishable by imprisonment for a term exceeding one year, and knowing that he had been convicted of such a crime;

In violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

FORFEITURE

FIREARM OFFENSES:

Upon conviction for the felony violations of Title 18, United States Code, Section 922 as charged in this Indictment, the Defendants, **BERNARD FREEMAN SCOTT, JR., ANDRE BERNARD MOORE, JR., NYKOBIE BRYANT FLEMING, JADEREIUS TYEWON HAYNES DESSAUSURE, JASMINE LASHA SMALLS,**

shall forfeit to the United States all the Defendants' rights, title, and interest in:

(a) Any firearms and ammunition (as defined in 18 U.S.C. § 921)-

(1) involved in or used in any knowing violation of 18 U.S.C. § 922, or violation of any other criminal law of the United States or intended to be used in a crime of violence.

PROPERTY:

Pursuant to Title 18, United States Code, Section 924(d)(1), and Title 28, United States Code, Section 2461(c), the property which is subject to forfeiture upon conviction of the Defendants for the offense charged in this Indictment includes, but is not limited to, the following:

A. **Firearms:**

- (1) Springfield Armory (HS Produkt) XD-45 pistol
Serial Number: XD635511
Purchaser: Nykobie Bryant Fleming
- (2) Glock 42, .380 caliber pistol
Serial Number: ACRD890
Purchaser: Jasmine Lasha Smalls
- (3) Glock 23, model Gen4 .40 caliber pistol
Serial Number: BENC264
Purchaser: Jedarius Tyewon Haynes Deasssusure
- (4) Springfield, model XD45, .45 caliber handgun
Serial Number: XD757549
Purchaser: Jedarius Tyewon Haynes Deasssusure
Possessor: Bernard Freeman Scott, Jr.

- (5) Heckler and Koch, 9mm handgun
Serial Number: 224-145778
Possessor: Andre Moore, Jr.
- (6) Glock, model 21, .45 caliber handgun
Serial Number: AFDW585
Purchaser: Nykobie Bryant Fleming
Possessor: Bernard Freeman Scott, Jr.



- (8) Taurus, model Millennium PT111 G2 9mm handgun
Serial Number: TJZ85941
Possessor: Bernard Freeman Scott, Jr.

B. Ammunition:

Miscellaneous rounds of assorted ammunition

Pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c).

A True BILL

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FOREPERSON

ADAIR F. BOROUGHS
UNITED STATES ATTORNEY

By:

A handwritten signature in black ink, appearing to read "Whit Sowards", written over a horizontal line.

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